

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WILLIE DAVIS, JR., NATHANIEL *
BRIDDELL, GEORGE W. FEDDIMAN, *
JOSEPH GARISON, LARRY E. GIBBS, *
ROY H. WALTERS, and ALL *
SIMILARLY-SITUATED CURRENT *
AND FORMER EMPLOYEES OF *
MOUNTAIRE FARMS, INC., *
MOUNTAIRE FARMS OF DELMARVA *
INC., and MOUNTAIRE FARMS OF *
DELAWARE, INC., *

Plaintiffs,

v.

MOUNTAIRE FARMS, INC., a Delaware *
Corporation, MOUNTAIRE FARMS OF *
DELMARVA, a Delaware Corporation, *
and MOUNTAIRE FARMS OF *
DELAWARE, INC., a Delaware *
Corporation, *

Defendants.

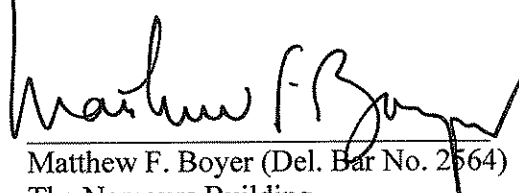
Civil Action No. 04-414 – KAJ

DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56, the Defendants move the Court to grant partial summary judgment in their favor and against the Plaintiffs for the reasons set forth in the accompanying Opening Brief in Support of Defendants' Motion for Partial Summary Judgment.

Respectfully submitted,

CONNOLLY BOVE LODGE & HUTZ LLP

A handwritten signature in black ink, appearing to read "Matthew F. Boyer", is written over a horizontal line.

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Attorneys for Defendants

DATED: September 15, 2006

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Defendants' Motion For Partial Summary Judgment was served electronically, on this September 15, 2006, to:

Jeffrey K. Martin, Esquire
1509 Gilpin Avenue
Wilmington, DE 19806

/s/

Matthew F. Boyer